13.
Trade in America
1610
k

GOVERNOR JOHNSTONE's

SPEECH,

ON THE

Queſtion of Recommitting the addreſs declaring the COLONY of MASSACHUSETS BAY in REBELLION:

TO WHICH IS ADDED

The two moſt MASTERLY LETTERS of

JUNIUS,

To the people of ENGLAND in favour of the

AMERICANS.

LONDON;

Printed for G. ALLEN, No. 59, Pater-Noſter-Row.

(Price, 6d.)

GOVERNOR JOHNSTONE's

SPEECH.

BEFORE you prononce this dreadful ſentence upon a meritorious, ſober and induſtrious people, I hope the houſe will indulge me with a few words in the diſcharge of the duty I owe myſelf, and likewiſe with a view of tranſmitting my character fair to poſterity, when thoſe black ſcenes ſhall ſhall be examined without prejudice.

The real Queſtion before us is, upon the proper meaſure to be purſued reſpecting our fellow-ſubjects in America. In order to judge of this we muſt conſider the real cauſe of diſpute: I ſay the ſubſtantial difference turns on the right of taxation. Moſt of the advocates on the other ſide have endeavoured to ſlur this point, and alledge, "that the claims of the Americans extend

" far beyond this article, and that the act of navi-
" gation itſelf is in danger."—But it is impoſſible for a judicious mind to read material papers, and not ſee this is illuſory. The congreſs has expreſly told us, " they are willing to acquieſce in thoſe " laws which ſecure to us the monopoly of their " trade, as neceſſary in the mutual connection;" and the inſtructions from Philadelphia, on which the proceedings of the Congreſs are chiefly formed, avow theſe doctrines in more full and explicit termi. This method of condemning men by inference and conjecture, contrary to their repeated declarations, I cannot approve; I ſhall therefore bend the whole force of my argument to the original cauſe of quarrel---taxation.

The great and only ſecret yet found out for preſerving the liberties of mankind from encroachments of that power which is neceſſary for the executive in large kingdoms, is the power of the purſe. This was the ſubject of contention in the Civil Wars of Charles the firſt: it is this privilege alone which makes the Houſe of Commons reſpectable; This was the point which Hampden obtained for us! and I leave every one acquainted with the hiſtory of thoſe memorable times, to determine in his own mind, whether we ſhould ever have enjoyed this bleſſing, if he had tamely paid the tax, and had not reſiſted?---From this power we derive the certainty of aſſembling the repreſentatives of the people; by this redreſs of grievances may precede ſupplies; and the ſecurity that the exerciſe will not be abuſed is derived from hence, that the houſe cannot impoſe on others what they are not to feel themſelves. By the principles of the conſtitution every man ſhould be

be repreſented; but the deviation from a rule, too nice for practice, is ſafely borne, becauſe the intreſt of every particular member remains as a pledge, that no individual can be overburthened: when this ſecurity is removed, there is no longer any ſafety for thoſe to whom the fact does not apply, What is the caſe reſpecting the Americans? does any Member feel himſelf affectedby the impoſitions he will lay on them? nay does not the contrary principle prevail? the more he ſhall burthen America, the more he will relieve himſelf. Judge Hobbert ſays. "If an act of parliament was made, conſtituting a man a judge in his own cauſe, it would be void by the law of nature." Yet ſnch is the preciſe ſituation in which we contend we ought to be placed reſpecting the Americans, and for the denial of which we are ready to condemn our fellow ſubjects to all the tortures enacted by the laws of treaſon.

Let us look round, and view the fate of different ſtates that have yielded or preſerved the privileges for which the Americans contend. So ſoon as the Cortes loſt this power, their ſlavery was compleat, Portugal has now no veſtige of this palladium---Here is tyranny ſupreme in France, where the traces are left, (as in the *Pays d'etat*) their happineſs is diſtinguiſhable from the miſery of other parts. In Britoin we are yet free, becauſe we retain it. In Holland, Switzerland, and the other ſtates of Europe they are more or leſs ſo as they preſerve it.

What are the circumſtances that diſtinguiſh and protect the Britiſh Colonies from thoſe of other nations? the repreſentatives of the people met in general aſſembly, and the trial by jury --If the

ſyſtem

ſyſtem of taxation by the Parliament of Great Britain takes place, what being can be ſo creduloes as to expect the aſſemblies of the people will ever meet; and it is confeſſed that Admiralty Courts, diſclaiming trials by jury, are neciſſary to enforce this ſpecies of taxation. Here than are all the eſſential privileges of an Engliſhman depe nden on the quiſtion, and the real intreſt of the ſtate is no way concerned in the contrary ſcale, ſince the proſperity of the Colonies muſt ever prove the riches and glory of England---nothing but the abſurd pride, or narrow ignorance of the preſent adminlſtration, can be thrown into it--- When once this ſyſtem takes place, we ſhall then feel the tyranny and oppreſſion of governors, with all their their train of dependents, as in the province of Rome which are now quoted as an example.

Thus much ſuppoſing the Americans right in the diſpute (as I believe they are) but ſuppoſing them wrong, I will now ſtate their excuſe, and ſee what heart can condemn them, and retain any claim to humanity.

The queſtion concerning the right to tax the Colonies, clear to thoſe who are accuſtomed to think deeply on the principle of free Governments, is difficult to common apprehenſion s. Monteſquieu has ohſerved, " that in deſpotiſm every thing ought to depend on two ideas." As for inſtance, is there any thing ſo fit to ſolve this diſpute, as the unity of the Britiſh Empire—the ſupremacy of the Legiſlative authority of Great Britain---the omnipotence of parliament ? Is there any man ſo ignorant, after having heard thoſe ſounding words, as not clearly to comprehend

hend the whole of the controverſy? plodding thinking creatures, who are acuſtomed to conſider the complicated priviledge in a free Government, from whence the harmony of the whole ſprings, may be puzzled; but Men who have never diſturbed their repoſe with ſuch dry Conſiderations can have no doubt on the matter. Be that as it may, certain it is that the diſcuſſion of this moſt important queſtion was debated in this Aſſembly by the greateſt abilities, after the fulleſt information, that ever accompanied any political queſtion. The deciſion was in favour of the Americans; the Stamp Act was repealed.---I admit that "principles of expediency" are alledged as the reaſon, in the preamble of the bill; but the men who boldly denied, during this diſcuſſion, the power of taxing the Colonies, as conſtitutionally exiſting in the Commons of Great Brttain, namely, Lord Chatham and Lord Camden, (men of as extraordinary talents as ever adorned ſociety) the one was made prime miniſter; the other was created a Peer, and Lord High Chancellor of Great Britain, the keeper of the King's conſcience!---What American could have retained any doubt of his cauſe in the mind of his Majeſty, or the nation, after ſuch a deciſion?---The compromiſing Act ſoon followed (for the ſake of gratifying a party) violating all the principles of commerce and policy in the lump-giving draw-backs here, exacting duties there, committing the power and authority of the nation on ſubjects which could never produce any effectual revenue, aud this in a manner that all men of ſenſe muſt ever condemn.

When the Americans ſaw, by this act of parliament, that the great queſtion was likely again to return

return upon them, in the progreſs of time, through the greed, ignorance, or caprice of ſtateſmen, they met the poſition in its ſly, circuitous, queſtionable ſhape; they recurred to their old principles; they revolted againſt the preamble; they tranſmitted petitions; and all failing, they entered into non-importation agreements. This produced Lord Hillſborough's circular letter, which I will repeat again and again, till a contrary conduct is purſued; for no ſatisfactory anſwer can be given about it, while the preſent doctrines are avowed.---The Americans, thus fortified in their opinions concerning the point of taxation, are unanimous againſt our power, from Nova Scotia to Georgia. If there be any doubt on this fact, why not call Governor Eden? We are told he lately arrived: It would have been becoming to have produced him. But I call on his relations, friends, or any man, to contradict me in this aſſertion, "that the Americans are unanimous "againſt this power of taxation, as lodged in "the Britiſh parliament." They are reſolved to reſiſt; and ſince you have placed them in a ſituation where they muſt either be rebels or ſlaves, the blame muſt lie with thoſe who have drove them to this dilemma.

In diſcuſſing the queſtion of reſiſtance, the gentlemen of the other ſide have great advantages: we ſtand on difficult ground, ſince, from its nature, it never can be defined, or admitted as lawful. The firſt officer of the crown has fairly expreſſed my ideas on this ſubject. The principle ſhould never be extinguiſhed in any government, much leſs in a free country; the occaſion muſt ever be referred to the general feelings

feelings of mankind. Now, if depriving a trading town of its commerce—if cutting off whole ſocieties from the benefit of the elements which God has given them—if proceeding to deprive them of the fiſhery, their ſubſiſtence---if altering their charter, and annihilating all their rights, without hearing them in defence---if eſtabliſhing, in its ſtead, a new form of government, which leaves all things in confuſion---if erecting a ſyſtem of tyranny in their neighbourhood, and eſtabliſhing (not tolerating) all the abſurdities of the Roman Catholic religion---trial by jury diſmiſſed---habeas corpus denied---the repreſentatives of the people determined uſeleſs---inferior duties levied by act of parliament---in ſhort, precedents for the violation of every thing we hold moſt ſacred in this country: I ſay, if acts like theſe can vindicate reſiſtance, the Americans can quote them, and God and the world muſt judge between us. For my own part, I conſider, with Lord Somers, "that treaſon againſt the conſtitution is the firſt ſpecies of that crime." Acts of parliament are ſacred things, and yet they may be ſo made, grinding the face of mankind, that human nature will revolt at their ſeverity---Dudley and Empſom were hanged for acting---according to act of parliament.

I have now ſtated the arguments which ſhould induce you to pauſe at leaſt before you take this irretrievable ſtep. I ſhall examine next the conſequences.

Suppoſe we ſhould ſucceed in ſubduing the Americans, is it not clear from henceforward that we muſt govern them by military force? muſt not our army be increaſed in proportion?

---while his Majeſty retains the power of moving his troops from one part of his dominions to another, can there be any ſafety for the liberties of this country? If the mortification begins at the extremities, will it not ſoon communicate to the center? Every man acquainted with the hiſtory of nations muſt foreſee the conſequences. If we fail in the attempt, which is the happieſt event that can occur, what difficulties may not diſguſt, irritations and all the horrors of civil war, engender? While the juſtice and moderation of this country are blotted from the face of the earth, and the accumulated expence, when the ſprings of riches are cut off, muſt ſhake public credit to the very center.

The noble Lord has hinted, " if repealing the " tea tax wold do, he would yield that," and he ſpeaks even faintly on the power of taxation. If theſe are his principles we are yet more inexcuſable. We are going to puniſh men for maintaining what we are ready to yield, and to engage the nation in endleſs expence for the ſake of a quiddity. Since whether renounced on the principles of expediency or right, the ſatisfaction muſt be equally complete to the Americans.

But the noble Lord alledges, " that yielding " the point of taxation would not now do." This is conjecture on his part: But at leaſt it would produce this good effect,---we ſhould divide the Americans: we ſhould unite men in this country, and go to the conteſt with better hopes of ſucceſs.---The proofs the noble Lord gives for his opinion are ſeveral indiſcrete acts of different meetings ſince the late confuſion in America.---Such detail never affects me. I think

no

no concluſions can be drawn from them.---In all civil wars, when the people are let looſe to reaſon on government, a thouſand abſurd doctrines are broached.—Let us apply this to our own country---let us remember all the ridiculous circumſtances which Hudibras has painted better than I can. But ſhould the great cauſe of liberty, in which our anceſtors were engaged, ſuffer from ſuch circumſtances? To their feelings we may truſt, on the reaſoning of the multitude there is little dependence. For my own part, I think with Cardinal de Retz, " that any number above " one hundred is at beſt but mere mob." [*Here the houſe felt the expreſſions as too ſtrong.*]—It never could be my intention to apply the rule to this houſe, long trained in form and diſcipline, though ſometimes there are doctrines and proceedings even here that would ſurprize a ſtranger into this belief.

But the noble Lord ſays, " why not petition " firſt and acknowledge the right, and then we " will grant relief." Have they not petitioned? Is there a means of ſupplication and proſtration they have not tried? I am convinced they went to the crown merely as a mode of introducing their petition here.---Now you deny hearing their Agents. An Hon. Gentleman in Adminiſtration ſays, " he wiſhed we had heard their petitions." Do not then condemn them for not petitioning, till you have declared your reſolution to hear them. Can it be expected the Americans will act on the innuendos of a miniſter? If you mean fair, why not declare your intentions by ſome binding act? After the Eaſt India Company, who will truſt you? You invited them to petition under hopes and declarations, and afterwards

made uſe of this very petition, to deprive them both of their money and their privileges. In the cedal Iſlands you invited men to ſettle under the Royal Proclamation, and then levied 4 1-half per cent. on their produce, which procedure has ately been condemned in the Courts of Law. In Canada you have been guilty of a greater violation, as liberty is dearer than property. Here you have deſpiſed the Royal Proclamation, and forfeited your engagements to mankind. I repeat it again, what man or ſociety of men can truſt you?

The next objection to the Americans is the Congreſs. This is now termed an "illegal meeting." Government here, lay by with great expectation, waiting their reſolves. If they had been favourable to their views, or had any untoward circumſtances broke their union, we ſhould have had much eulogium on the Congreſs. Now they have come to reſolves favourable to the liberties of mankind, all is abuſe. I do not know by what law (except thoſe of common ſenſe) mankind can be regulated on theſe occaſions. What kind of meeting can that be called which was held in this place at the Revolution; aldermen and old members of Parliament mixing in conſultation. The neceſſity on theſe occaſions gives riſe to the caſe. You wiſhed to know the ſenſe of the people of America: Was ever the judgment of a people ſo fairly taken? Firſt, the occaſion is promulgated. The people chuſe repreſentatives. Theſe chuſe deputies. The deputies in Congreſs publiſh their proceedings, each member returns to his reſpective colony, where his conduct is again approved!—No place, no penſion, no bribe, to influence his election, or biaſſed

biaſs his vote.—But even as to the legality. The manner of meeting is not new. Government itſelf called a Congreſs in the laſt war, to apportion the quotas of men and troops.

One Gentleman has ſaid, "that our ſituation is quite new, and there is no example in hiſtory to direct our ſteps." I ſay there is a caſe directly ſimilar, but we are too conceited to profit from ſuch experience. Philip the ſecond, and his ſeventeen provinces, are the counterpart of what we are acting. The debates in his council on ſending the Duke of Alva into the Netherlands, are applicable in every part. He was adviſed by two ſenſible men, to repair thither himſelf, and hear the complaints of his people, before he came to ſuch raſh reſolves. But the majority ſaid, as in this caſe, his glory was compromitted.—It was not religion only, but taxing without conſent of their States, that brought matters to the laſt extremity: the Duke of Alva, it is true, was victorious every where at firſt, but his cruelties were but ſowing the ſerpents teeth. The Gues, the Beggars of the Briel, eſteemed at that time infinitely more deſpicable than the New Englandmen are repreſented, gave the firſt ſhock to the power of Spain—In comparing the probability of events, can any man ſay Great Britain has ſuch a proſpect of victory in the conteſt as Spain might then have expected? yet we know the event, and how that mighty empire was rent in pieces. The preſent Reſolution hurries us into that ſituation from which there is no retreating. It obliges the Americans immediately to act. By declaring them in Rebellion, they muſt have recourſe to arms; all negociation is cut off.---I think the word Rebellion both impolitic and unjuſtifiable. I beg to

known

know what paper on your table can vindicate that term? The firſt law officer of the crown ſaid, " a number of men committing treaſon was rebellion." I differ from him in the definition: according to my conception of the phraſe, they muſt be in military array, to effect ſome military purpoſe. One hundred men coining money are not in rebellion tho' committing treaſon. Inſurrections to pull down incloſures is not rebellion, tho' deemed a conſtructive levying war. In the caſe of purchaſe and demerce for pulling down the meeting houſes, they were convicted of treaſon, but no one ever thought of ſaying the confederates or aſſociates were in rebellion. I think we ſhould be very cautious how we criminate bodies of men on ſuch intelligence. I dare ſay the noble Lord has been deceived himſelf. But this I affirm, he has hitherto conſtantly deceived this houſe. It appears to me that no intelligence from General Gage can be depended on. I beg the houſe will attend particularly to what I now ſay, before they engage their lives and fortunes. It appears General Gage has regularly deceived adminiſtration. No event has turned out as he foretold, or gave reaſon to hope; the next letter conſtantly contradicts the expectations raiſed by the former. He ſeems never to have known what they were about, no doubt groſly impoſed on himſelf, but the facts are undeniable. When he firſt arrived, he writes, " the malecontents were abaſhed, and the friends of government would ſoon appear. Next " his expectations from the aſſembly were diſappointed," and he diſſolves them in ſurpriſe: then " there would be no congreſs:" next, though there would be a congreſs, they would differ rnd diſagree;" in ſhort, led on

and

and leading others by vain expectations, till the very laſt letter, which anounces a total diſaffection, and which I believe to be the true ſtate of the provinces.

Singling out the provence of Maſſachuſets Bay, can anſwear no purpoſe, but to expoſe our partiality. It is the cauſe of all, and the other Colonies can never be ſo mean as firſt to engage and then duſert them before the general right is ſettled.

The noble Lord talks next of ſtopping their fiſheries; but he ſays "the act is onely to be tem-" porary." Does the noble Lord think he can turn the channel of trade as eaſy as he can turn the mejorities of this Houſe. To explain the ideas, ſuppoſing the New England fiſheries ſtopt, their utenſils muſt waſte and deſtroy. But will the Engliſh Merchant madly encreaſe his ſtock, and fit out new ſhips, if the act is merely temporary? if it is perpetual the people in America are ruined. The conſequence is, that the French muſt in the end reap the beneſit of all this ſtrange policy.

We are conſtantly ſtating the great obligation we have conferred on the Colonies by our former behaviour towards them; if it was ever ſo good, we can claim no merit from hence in private or public concerns. to do injury in future; they do not complain of your former behaviour, but they ſay, you have altered this very ſyſtem from whence you would now derive their ſubmiſſion.

There are two arguments of the noble Lord which I muſt remark upon before I ſit down; the firſt is, " the comparative view of taxation be-" tween this country and the Colonies, according to the number of inhabitans." His Lordſhip

ſays

ſays, " we pay about twtnty-five ſhillings a head, and they pay about ſixpence." Who is there ſo unacquainted with political arithmetic as not to know that the ſmall ſum peoples in taxation is often a proof of their poverty, and the large ſum a proof of their proſperity, by demonſtrating the riches from the greatneſs of the conſumption? Let this kind of reaſoning be applied to Irelaud or Scotland, where we know the multitude to be poor in compariſon to the inhabitants of London, whom we know to be rich; beſides, if the Coloniſt does not pay in palpable caſh from his own hand. does not he pay all the taxes on the four millions of Manufauctres he receives, and part of thoſe taxes on the raw materials he ſends hither.

The other argument is ſtill more extraordinary. The noble Lord ſays, " if we fail in our attempt of forcing America, we ſhall ſtill be in the ſame ſituation we are at preſent." What! after our armies have baen diſgraced, our felllow ſubjects deſtroyed, all the irritation of a civil war, publick confidence, and fair opinion loſt! does the noble Lord think he will be in the ſame ſituation himſelf? 1 realy ſpeak it with regret, for perſonally 1 have much regard for the noble Lord, and particularly becauſe 1 perceive, from his faint manner of ſtating his propoſitions, that they are not the dictates of his own mind, and that they are forced to him.

I cannot ſee my other memorandums, and therefore 1 wall conclude by heartily concurring with the noble Lord who moved for the recommitment of the addreſs."

TO THE PEOPLE.

A BRAVE, a wiſe, and a powerfull nation, once both from inclination and intereſt, your faithful and advantageous friend is about to be made your irreconcileable and formidably enemy. Is it impoſible you can think of a contention between your native country and the Colonies with the ſame indifference, that you would hear of war between ſavages of ſome remote corner of the univerſe, with which you have no connection?

War in America, whatever is its conſequence, muſt be fatel to your Freedom. If you ſubdue the Americans, the ſame hand of power which now attcks their rights and priveleges, will ſcarely refrain from yours, nor reſt untill every reſtrain of regal authority is removed, and the world of one becomes the laws of millions. If the Americans ſubdue you, they will naturally reſent the injuries you are now committing, and afford you ample cauſe to execrate the day when you conſented to indulge the pride and folly of your rulers. Equally, therefore, by victory or defeat are you undone. Truly deplorable is the alternative; irremediable abject ſlavery under your own Monarchs, or a more tolerable and leſs degrading ſubjection to your own Colonies.

Empire, like the Sun, is doomed to travel weſtward; but you have accelerated its progreſs. American virtue muſt, in time, have triumphed

ver European vice, but America would not have dreamt of ſuperiority, or even of independence, had you not madly forced her to a proof of ſtrenght, in which (flatter yourſelves as you pleaſe) you will ſooner or later be found loſers. If I am a falſe prophet on this ocaſion, the tale of your preſent tranſactions, muſt ſtand a ſoleciſm in the language of hiſtory.

The fatal dye is not yet thrown; hoſtilities are not yet commenced;—pauſe and conſideration.—America, with a dignity for which Greece or Rome in the age of freedom would have revered her, yet extends the hand of amity.

Reſtore, ſay ſhe, "all things to their ſituation "at the cloſe of laſt war, relinquiſh, your paſt "encroachments, diſcard yonr preſent deſigns on my liberties, and I am ſatiſfied."

A propoſal this, which the pride of power may deſpiſe, but which the prudence of reaſon, and the compaſſion of humanity, would except without heſitation.

The fatal dye is not yet thrown; hoſtilities are not yet commenced,---Pauſe and conſider ---Some of you are expert at calculation; it may hayly be uſeful for you to calculate the gain and loſs of a conteſt with America; draw out your account debtor and creditor; and ſee whether the balance is your real advantage or irreparable injury.

War cannot be proſecuted without expence. The preſent quarrel is not your quarrel but the quarrel of your King or of his miniſters, but you muſt find the money to maintain it. Your king will not diſburſe from his private coffers, nor his deduct from their ſalaries and penſions. Your land and your houſes, your food and your cloathing,

ſng, all that nature can produce, all that art ca. iabricate. muſt be taxed, and taxed again and again, till the rich become poor, and the poor periſh. War with America will ruin your commerce and manufactures, your merchants will loſe their property, and your manufacturers their employment. A country whoſe towns are demoliſhed, whoſe fields have been ravaged, and whoſe wealth has been ſacrificed in defence of its liberty, muſt be content with neceſſaries, and will find no market for your ſuperfluities.---Such is you loſs.

On the other hand, you pleaſe a man on whom you have conferred ſupreme authority with a view of its being exerciſed, not for the gratification of his own caprice or reſentment, but for the welfare of the public: you pleaſe other men, who for for impoſing taxes on you, will be repaid, by ſalaries, penſionr, and private perquiſites, ten-fold the amount of that quota which their patrimonial or acquired fortunes furniſh towards the general taxation; and you pleaſe other men, whoſe trade is murder and rapine:—Such is your gain. Add now to your loſs the common miſeries of war, (the death of thouſands by ſword. diſeaſe and famine, and the diſtreſs of parents, widows and orphans; and try if you can contemplate the horrid balance, without bluſhing at the thought of engaging in ſo faral an adventure.

War rarely produces any ſolid benefit to a nation. Your wars have hitherto been underſtood to be defenſive; but now no defence is needed, for there is no invader. Your wars have hitherto been undertaken at your own deſire, and for ſome avowed purpoſe of real or ſuppoſed utility;

but

but this war will be undertaken at the deſire of your governors, and ſolely for the indulgence of their wanton vengeance. They may aſſert, that "you wiſh for this war;" and, to verify their aſſertion, they may produce petitions, requeſting them to commence it. But from whom are theſe petitions; from the whole community, or from a few of their own creatures? Are they not from venal, very venal magiſtrates, and venal artificers, from gun-makers and ſword-makers, and from thoſe peſts of ſociety who are too proud and indolent to live by labour, and who, now pretences are wanting to find places for them at home, are gaping for places beyond the Atlantic, and think the time long till they can contaminate with their ſlaviſh breath, the honeſt air of America? Some of you indeed there are, who, without any apparent intereſt in the matter, like captious ſeconds in a duel, take up the quarrel of their principal, and rail at the coloniſts, as at perſonal enemies, with all the rage of perſonal antipathy.—The clients, whoſe cauſe theſe volunteer advocates are pleading, will doubtleſs openly thank them for their zeal, but they willingly ſmile with ineffable contempt at their egregious folly.

The demon emiſſaries of arbitrary power, are buſily whiſpering in the ear of credulous ſimplicity—blaſphemy againſt the majeſty of the people. They talk of the omnipotence of ſtings, and the omnipotence of parliaments! they tell you their rights are ſacred, and their laws inviolable, and, as ſuch, muſt be maintained and enforced at all hazards!—But from the people, kings and parliaments receive their exiſtence; and to the people they ought to be accountable for abuſe of

their

t
heir power. The original rights of mankind and the univerſal laws of freedom, are ſuperior to all other rights and laws, and whenever the general and the particular become incompatible, enforcement of the latter cannot be juſtified by the tongue of reaſon, though it may be effected by the arm of violence. What, my good countrymen, have kings or parliaments, for more than a century, done for you, that you ſhould be ſo prompt to effuſe your blood and diſſipate your proporty in their ſervice? Have thry not gradually dimiſhed your independence, and augmented their own? Have they once attended to the extention of your commerce, or the regulation of your manufactures, without a manifeſt attention to the increaſe of their revenues, and the multiplication of their Officers? Have they not taxed your neceſſaries, and left untaxed their own luxuries *c* Have they not impoveriſhed and enſlaved you with a ſtanding army? Have they not encumbered one part of you with fetters of gold, and the other with—yokes of iron?

"The national honour and glory (ſay the "court ſycophants) is concerned in the ſubjugation of America;" but what have you to do with the national honour and glory? You may toil in the field of blood, but if the laurels of conqueſt ſhould be reaped, your rulers will appropriate to themſelves the ſole merit and advantage of the harveſt. It is eaſy to talk of the ſubjugation of America, but it may poſſibly prove a taſk too arduous for thoſe who are now ſo eager to attempt it: Your gallant ſoldiers, and your gallant ſea- have been taught to conſider the French and Spaniards as their natural enemies, as people of diſpoſition,

poſition, cuſtoms, religion, and laws, totally diſſimilar to our own; but they have not, till now, been taught ſo to conſider the Americans: their hearts then ſurely muſt fail and their hands tremble, when they level the cannon or the muſket, or point the ſword at the boſoms of their brethren. But admitting that the notion of duty ſhould prevail over the emotions of nature; admitting that your military will fight, believe me, they will meet no feeble foe; the Americans have have bodies enured to hardſhip, and ſpirits intolerant of ſurvitude. Enſue the worſt that can enſue; let them be vanquiſhed in the field; let their cities be bombarded and conſumed, they have in the boundleſs continent a ſecure aſylum; they have impenetrable foreſts to retire to, in the centre whereof they will erect a temple to liberty, which in defiance of the utmoſt efforts of European tranny will ſtand for ever inviolant. The tyrants of the eaſt have been as powerful as the tyrants of the weſt, but aſk of hiſtory while the tyrants of the eaſt ever ſubdued Arabia?

As for ſuch of you who for the luſt of lucre will forge weapons of deſtruction to arm the hand of oppreſſion; and as for ſuch of you who for luſt of luker will lend your ſhips as tranſports, to convey your unhappy fellow-creatures to deſtroy and be deſtroyed on the plains of America, let them enjoy their ill ill-earned wealth, if they can enjoy it, with the conſciouſneſs of having contributed to maintain the ideal honour, but to betray the real and dear bought liberties of their country.

As for you who are honeſt, and wiſh ty be free. I mean not to excite you to any illegal, tumultous acts

acts of oppoſition to the preſent government; I mean not to ſound an alarm to ſedition or inſurrection; ſuch conduct inſteed of procuring you relief, would afford a pretencs for rivetting your chains yet faſter; but I mean to conjure you by all that is dear to yourſelves and to your poſterity, to teſtify by thoſe legal weans which your noble anceſtors on all great exigencies have adopted

The hireling ſcribblers of arbitary power may flatter you, and you may believe their flatteries; with a calm diſdain of the future you may diſregard all warnings, but if the moſt abject national ſlavery be the greateſt of evils, the ſtoongeſt ideas of perſonal jeopardy, failing on a plank, or ſlumbering on a precipice, are, in my opinion, faint images of the public danger,

JUNIUS

TO THE PEOPLE.

IN Europe arbitrary government is taking large ſtrides towards univerſallty. Poland has been parted among three tyrants; Sweden has reſigned her rights to her own Monarch, and the day probably is not far diſtant when England will make a ſimilar ſubmiſſion: at leaſt if there be virtue with you adequate to the prevention of ſo diſhonouring an event, it lies at preſent concealed like a ſpark in embers, under an enormous maſs of vice and folly, venality and luxury.

From even the name of arbitrary power an Engliſhman, an un-bribed, un-placed, un-penſioned Engliſhman, ſtares with inherent horror; but, under a different appellation he may perhaps be reconciled to the reality: yet denominations change not qualities; poiſon may be called medicine, but it will not therefore become harmleſs; a ſerpent may be called an angel, but it cannot therefore be handled with ſafety.

The conſtitution of England, you may ſay, is her peculiar boaſt, and the inpregnabble bulwark of her freedom; the fear of the introduction of arbitrary power, muſt therefore be the fear of an imaginary evil: the caprice of will can effect nothing where all muſt—be effected by law." Our conſtitution indeed intends that laws ſhould be made by ourſelves; but if a king can procure unbounded influence over our delegates, the conſtitutional intention in counteracted, law is made by

by the king, and the command of one is impoſed on all, through the voice of our own unfaithful ſervants. In this caſe the form of legality becomes a farce to amuſe the ignorant and unthinking, and the ſafety of the ſubject depends only on the diſpoſition of the ſovereign: if he is a bad man he may murder, and plunder and enſlave without controul; for who is there to reſiſt his will?

Every man of common underſtanding muſt know, that there is not always a conſtitutional accordance between the ſentiments of the rulers and thoſe of the ruled. It may now be the conſentaneous will of the ſovereign, of the majority of the patricians, and the majority of the repreſentatives of the Plebeians, but it ſurely is not the will of the majority of the community, for a mere punctilio of pride, a mere obſtinate adherence to an indeal right of eſtaliſhieg an unprofitable taxation, to ſhed the innocent blood of our American brethren. There may not indeed be virtue remaining among you ſufficient to reſiſt; but the muſt ſurely be virtue remainidg amongſt you ſufficient to diſapprove the indulgence of ſuch ſuch ſanguinary volition. Be this as it may, the breaks of a few individuals are not totally devoid of the ſpirit of their of their noble anceſtors, and ſuch are determined that the venal orators of deſpotiſm ſhall not preach their ſoporific documents of acquieſcence in oppreſſion, nor the venal choriſters of power ſing their exultant requiems at the funeral of departed liberty, without interruption

Some of the miniſterialiſts have told you, "that, "while the Americans are ſubject to the ſame "government as yourſelves, they cannot ſuſtain

"injury,

" injury, and therefore can have no right to complain." But that you are inſlaved is no reaſon that they ſhould be enſlaved alſo. England has called the Colonies her children ; a good parant who was not ſo nappy as he could wiſh, would not endeavour to prevent this child from being happier. If If your ſyſtem of politics was ab origine erroneous, or has ſuffered flogrant preveſion, ſhall you with a mean envy, deny a people who have a higher ſenſe of freedom, the advantage of a ſyſtem more perfect ?

Where it not a ſubject too important for pleaſantry, it muſt excite a ſmile to hear the known defects of your Conſtitution produced in argument to eſtabliſh a pretended indefeaſible authority over America. That four fifths of the choice of the repreſentation of ſeveral millions of Engliſhmen ſhould be veſted in a few thouſands, inhabitants of paltry boroughs, who ſell their birth-right to the beſt bidder, be his extraction from the dunghill, his manners from the bear-garden, his morrals from the brothol, ane his underſtanding of the meaneſt caſt, is an abſurdity ; but that the choice of the repreſentation of ſeveral millions of Americans ſhould be entruſted with ſuch chuſers, and devolve on ſuch objects, is certainly the abſurdity of abſurdites. In the caſe of England the borough-choſen menber is ſuppoſed to have reſidence and propcrty in the nation, and of courſe is ſuppoſed to be affected by whatever he enacts to affect others ; but in the caſe of America the borough choſen member has their neither reſidence nor property : He fits at Weſtminſter to frame Laws and impoſe taxes for perſons

perſons whom he has never ſeen, with whom he has no connection, and whom he may tax, ad infinitum, without ſympathy, and therefore without reluctance.

It has been ſaid "that local election denotes "no intention of local repreſentation; that "the perſon elected is not the Senator of his "Country or his Borough, but of the whole "Community; not the delegate only of the "Freeholder who elects him, but of the copyhold and the money owner, who have no ſhare in his election.

The right of local election was doubtleſs firſt granted under the idea of a favour; but if the grant had no prſpect to preſervation of particular immunities, or obtainment of particular advantages, wherein conſiſted its value? the caſe of the copyholder and the money-owner could not come under conſideration, at a time when the former was a villain without liberty, and without property, and the latter was almoſt a non-exiſtence. Your plan of repreſentation, as a plan conſtructed for an age moſt diſſimilarly circumſtanced to your own, evidently needs a reformation, and that in favour of real not imaginary delegation: The power of election ſhould be as much as poſſible equally diſtributed; the weight of influence as much as poſſible ſuſpended, and the inlets of corruption as much as poſſible obſtructed. The doctrine of actual repreſantation is rational, and preſervative of liberty; the doctrine of virtual repreſentntion is irrational, introductive of tyranny, and fraught with conſequcnces, ſome of which

its

its preſent promulgators would be the very firſt to deprecate.—If five hundred men, choſen in England and Scotland, have a right to the legiſlation of America, by parity of reaſon fifty men, choſen in London, have a right to the legiſlation of Great Britain.

The advocates for virtual repreſentation pretend, "that if Senators where conſidered as tenacious guardians of the ſeperate intereſts of their reſpective electors, the intereſt of one place being often opponent to the intereſt of another, the Senate would become a ſcene of anarchy; and therefore, ſay they, the whole muſt be ſuppoſed to ſpeak by the voice of the majority." But the right of local election can confer no poſſible benefit on the electors, except the ſuppoſed one of ſend;ng advocates to plead their cauſe on particular occaſious, and to endeavour to obtain, by conviction, of the propriety of the plea, the voice of the majority in their favour. If this ſuppoſed benefit be allowed to a petty town, ſurely it ought to be allowed to populous Provinces; though it muſt be owned, that in a corrupt or predetermined Senate it would be of little utility.

The foes of the Americans next attack them on the ground of debt:——"We have expended our millions in their ſervice, therefore we have a right to rule and to tax them;" but he buys aſſiſtance dear who buys it at the price of liberty. We have expended our millions for the defence of Hanover, but his Majeſty would ſcarcely conſent that ſhould, for reaſon, be

ruled and taxed by the fox-hunters and gamblers of St. Stephens Chapel.

" The Americans it ſeems, at leaſt the Boſ-
" tonians, have not only to thank us for paſt
" protection, but for kindnſe in altering their
" charters, improving their political conſtittion
" and judiciary power." The Parliament has tranferred the power of electing their council to the Sovereign from the Aſſembly, and inſtead of perrenial Grand Juries and annual Petty Juries, has enacted that they ſhall have Juries occaſionally choſen. The former was done, as one of the advocates of Adminiſtration fairly confeſſes, with an intention " to form an in-
" termediate body between the Governor and the repreſentatives of the People, ſimilar to the Houſe
" of Lords, in England, and to eſtabliſh, by that means a ballance againſt the democratical ſpi-
" rit which was gaining ground ſo faſt, and
" likely, if not checked, to change the form
" of government into its own nature, The
" Houſe of Aſſembly, he ſays, where before
" not only a part of the legiſlative, but of the
" executive power. The Governor, in many
" inſtances, could not act in his executive ca-
" pacity, without conſent of the Counſel,
" who being dependant on the Houſe of Aſ-
" ſembly for their ſeats, muſt be ſuppoſed to
" act according to their dictates." Yet with the genuine effrontery of a Courtier this man adds, " that the people are now leſs free than
" formerly. I utterly deny."

England has indeed greatly obliged Boſton, in permitting her to ſhare her own ineſtimable bleſſing, a king-created ariſtocracy; and there can be

be no doubt but ſhe wiſhes to oblige her yet farther, by permitting her to ſhare her other ineſtimable bleſſing, a King elected democracy. That the executive and legiſlative power ſhould exiſt in the ſame perſon, may ſometimes be wrong; but that Freedom will remain as inviolate where two parts of the Conſtitution are creatures of the Crown, as where two parts of the Conſtitution are Creatures of the People, is a novel, though faſhionable doctrine, which thoſe who are at all acquainted with the tranſactions of paſt times will ſcarcely admit to be orthodox. The Gentlemen who preach it might indeed as well ſpeak out, and tell, you in plain terms, "that the Plebians "ought to have no real intereſt in the State, "but that abſolute regal, or regal and Ariſto-"ratical Government, is, of all Governments, "the moſt Eligible."

The ſo highly applauded alteration in the matter of Juries in America, may, to ſome, wear the appearance of—a real benefit; but to others, it is obvious that Self-Interek is latent under the Maſk of Benevolence, and that the Aſpic of Deſtruction is lurking among the Flowers of pretended Courtſey. It requires little penetration to diſcover, that when Grand Juries where perrenial, and Petty Juries annual, a packed or partial Jury, to ſerve private Court purpoſes, could not eaſily be procured; but now that both are made occaſional, ſuch a Jury can be procured at pleaſure: Or, in other words, that the Act was provided as an engine to Diſlodge from the poſt of public ſervice the known guardians of the liberties of their country. In ſhort, what ſpecious pretences of actual or intentional advantage

tage have been made, in vindication of the late Parliamentary proceedings reſpecting America, the covering is of too thin a texture not to be ſeen through; thoſe proceedings muſt, by every man of common ſenſe, be allowed to be nothing more than a ſet of court expedients, cunningly deviſed, to gratify the luſt of artificial powder in a triumph over the natural rights of humanity.

But neither America nor England, we are informed, can be injured by any act which has received the ſanction of a Parliamentary Majority. "If the miniſtry (ſays "court ſycophant) never attempted to tax the "Americans by their own authority, and "without that of Parliament, there is no more "danger from thence, than from the taxes we "pay in this country being applied to enſlave "us; nor can the crown be ever rendered in-"depenpant of Parliament by temporary ſur-"plies, either in America or great Bri-"tain, which it is always in their power to "refuſe."

The breath of honeſt indignation ſhall here diſperſe the miſt of ſophiſtry which the fordid bog of venality has exhaled to render illegible the glorious characters of truth, from its parlamens alone is England in danger. The learned monteſquieu(whoſe political ſentiments this writer has liberalſy quoted and applied as the devil is ſaid to apply ſcripture) was too too ſagacious not to perceive the rock on which the veſſel of Engliſh liberty was doomed to ſhipwreck; if ever England is ruined, he ſays, ſhe muſt be ruined by her Parliament. The

Crown

crown indeed does not wiſh to be rendered abſolute, or independant of Parliament, but to rule in Parliament by a proſtituted majority, ſuch as the abominoble avarice of thoſe wretched partridges, the electors of its rotten borroughs always enable it to procure; a majority that will not ſcruple to grant any taxes which a miniſtry may think proper to impoſe, nor ſcruple to apply them, when granted, to the moſt inamous and inhuman purpoſes, even ſuch as butchering you honeſt independant brethren of America.

My beloved countrymen! The genius of liberty has extended her warning voice over the Atlantic, to awaken you to virtue and to glory; you have among you traitors, betrayers of their country, who for the wages of iniquity are exerting their utmoſt efforts to lull you again into a pleaſing but inevitably fatal dream of ſecurity; you may imbibe their opiates with eagerneſs, and wilfully cloſe your eyes againſt the proſpect of deſtruction. But know that you are paſſing with unexampled rapidity to the brink of that gulph into which all great empires have precipitated, and left no one memoriall of their greatneſs but—a name.

Before you gapes
The unfathomable gulph where Aſhur lies
O'erwhelm'd, forgotten, and high-boaſting Cham,
And Elam's haughty pomp, and beauteous Greece,
And the great queen of earth, imperial Rome.

JUNIUS.